

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

<b>IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL No. 2327</b>
<b>THIS DOCUMENT RELATES TO ETHICON WAVE 13 CASES LISTED IN EXHIBIT A</b>	<b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>

**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION TO EXCLUDE CERTAIN  
GENERAL OPINIONS OF DANIEL ELLIOTT, M.D. FOR WAVE 13**

Defendants Ethicon, Inc. and Johnson & Johnson (collectively “Ethicon”) hereby adopt and incorporate by reference the *Daubert* motion, memorandum and reply brief in relation to Dr. Daniel Elliott filed by Ethicon in Wave 10 Case No. 2:12-md-02327: Doc. 8080 (Motion), and Doc. 8081 (Memorandum in Support) and Doc. 8311 (Reply). Ethicon respectfully requests that the Court exclude Dr. Daniel Elliott’s testimony, for the reasons expressed in the Wave 10 briefing. This notice applies to the Wave 13 cases identified in Exhibit A attached hereto.

Respectfully Submitted,

/s/ William M. Gage

William M. Gage  
Butler Snow LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
(601) 985-4523  
William.gage@butlersnow.com

/s/ Susan M. Robison

Susan Robinson (W. Va. Bar #5169)  
Thomas Combs & Spann PLLC  
300 Summers Street  
Suite 1380 (25301)  
P.O. Box 3824  
Charleston, WV 25338  
(304) 414-1807  
srobinson@tcspllc.com

Counsel for Defendants Ethicon, Inc. and  
Johnson & Johnson

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

<b>IN RE: ETHICON, INC. PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL No. 2327</b>
<b>THIS DOCUMENT RELATES TO ETHICON WAVE 13 CASES LISTED IN EXHIBIT A</b>	<b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>

CERTIFICATE OF SERVICE

I, William M. Gage, certify that on this day I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage  
Butler Snow LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
(601) 985-4523  
[William.gage@butlersnow.com](mailto:William.gage@butlersnow.com)